

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 15-48402

EDWARD MINNEWEATHER, and  
KRIS MINNEWEATHER,

Chapter 7

Judge Thomas J. Tucker

Debtors.

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**ORDER DENYING, WITHOUT PREJUDICE, DEBTOR KRIS MINNEWEATHER'S  
MOTION FOR TURNOVER OF FUNDS GARNISHED PRE-PETITION**

This case is before the Court on Debtor Kris Minneweather's motion entitled "Motion for Turn Over of Preferential Seizure and Garnishment of Funds to Debtor, Kris Minneweather," filed on September 2, 2015 (Docket # 15, the "Motion"). The Motion seeks (1) the avoidance of a pre-petition transfer of \$1,064.72 to You Walk Bail Bond Agency, as a preferential transfer under 11 U.S.C. § 547(b), and (2) turnover of such funds to the Debtor. On September 23, 2015, Debtor filed a Certification of Non-Response, indicating that no one had filed an objection to the Motion.

The Court must deny the Motion, without prejudice, because the relief sought by the Motion must be sought by an adversary proceeding, not by a motion. *See* Fed.R.Bankr.P. 7001(1).

For this reason,

IT IS ORDERED that the Motion (Docket # 15), is denied, without prejudice to the Debtor's right to file an appropriate adversary proceeding.

**Signed on September 23, 2015**

/s/ Thomas J. Tucker

**Thomas J. Tucker**  
**United States Bankruptcy Judge**